

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Implementation of the Subscriber Carrier	)	
Selection Changes Provisions of the	)	
Telecommunications Act of 1996	)	
	)	CC Docket No. 94-129
Policies and Rules Concerning	)	
Unauthorized Changes of Consumers	)	
Long Distance Carriers	)	

**COMMENTS OF CINCINNATI BELL TELEPHONE COMPANY**

**I. Introduction**

Cincinnati Bell Telephone Company (“CBT”) hereby submits these comments in response to the Commission’s December 23, 1998 Further Notice of Proposed Rulemaking (“FNPRM”) in the above-captioned proceeding.<sup>1</sup> The FNPRM seeks comment on a number of issues surrounding the Commission’s slamming rules. CBT’s comments focus on three issues raised in the FNPRM: (1) carrier identification codes for resellers, (2) the definition of the term “subscriber,” and (3) the implementation of a third party administrator.

**II. Carrier Identification Codes for Resellers**

The identification of reselling carriers is an extremely important issue for CBT and its customers. Having the ability to identify such carriers would allow CBT service representatives to properly direct customers as to who they should contact in order to

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<sup>1</sup> In the Matter of Implementation of Subscriber Carrier Selection Change Provisions of the Telecommunications Act of 1996, CC Docket No. 94-129, Second Report and Order and Further Notice of Proposed Rulemaking, released December 23, 1998.

answer their questions or resolve their complaints. This would facilitate faster and more specific answers, reduce the number of calls a customer is required to make to get to someone who can answer his or her questions, and increase overall customer satisfaction.

CBT's difficulties in this area are best illustrated by the following typical scenario:

A customer calls CBT stating that they have an IXC as their long distance provider, but that their tolls are appearing on a CBT bill page under the name of a different carrier.

The CBT service representative first confirms the IXC in the switch and on the customer's record. Once this verification process is completed, the representative generally informs the customer to call the IXC because CBT cannot assist them any further. The customer does not understand why CBT cannot answer and resolve their problem. Moreover, the customer is often confused about having to contact another carrier. After receiving this response, the customer reluctantly follows the representative's instructions.

When CBT has the information, the service representative will provide the customer with the IXC's phone number and instruct the customer on how to respond to the carrier's automated answering system. Once the customer works through all of the queues of the IXC's automated answering system, the customer must again explain the situation to the IXC's service representative. In some cases, the IXC representative will refer the customer back to CBT to answer the complaint. It is not uncommon for the CBT representative to call the IXC (with the customer on the line) in order to explain to the IXC that it is a reseller/IXC contract issue that needs to be addressed, not a technical LEC issue.

If the CBT representative in this scenario could have identified the reseller's name in the customer's record, CBT would have been able to provide quick, accurate, and helpful information. Thereafter, when the customer called the IXC, the customer would have been in a position to identify the reseller by name, which would have led to a more efficient resolution of the problem.

CBT does not believe that simply assigning carrier identification codes to resellers is the answer to this problem. First of all, the available pool of codes could soon be exhausted. Moreover, the administrative costs associated with assigning, changing, and maintaining the codes would be too high. Whatever solution is ultimately adopted,

however, CBT submits that the resellers themselves should bear the costs of developing and paying for an industry-wide solution.

### **III. Definition of Subscriber**

CBT agrees that an industry-wide definition of the term “subscriber” is needed. To the maximum extent possible, the definition selected should be consistent with established state definitions. Moreover, it should not be too restrictive. Set forth below are a few possibilities for the Commission’s consideration:

1. Customer or subscriber – means any person, firm, partnership, corporation, municipality, cooperative, organization or governmental agency provided with telephone service by any telephone utility. *807 Kentucky Administrative Regulation 5:061.*
2. Customer or subscriber – means any person, firm, partnership, corporation, municipality, cooperative organization, governmental agency, etc. which contracts for telecommunications service, either orally or in writing, and is responsible for the payment of charges and compliance with the rules and regulations of the local exchange company or interexchange company. *Ohio Minimum Telephone Service Standards.*
3. End-user Customer – the party (i.e., the customer) identified in the account records of a local exchange carrier issuing a telephone bill (or on whose behalf a telephone bill is issued), any other person identified in such records as authorized to change the services subscribed to or to charge services to the account, and any person contractually or other wise lawfully authorized to represent such party. *Anti-Cramming Best Practices Guidelines.*<sup>2</sup>

### **IV. Independent Third Party Administrator**

CBT believes the concept of a third party administrator will not work in actual practice. The designation of one administrator to handle all carrier PIC changes and PIC

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<sup>2</sup> The Commission and the Industry spent much time developing the anti-cramming definition. CBT believes this definition may work equally well in the slamming context. Moreover, this definition is not inconsistent with state definitions.

freezes, and to maintain all necessary records would not work. The administrator would quickly become overburdened and would not be able to provide quick and accurate service. An independent third party administrator would therefore, merely add costs and delays without any redeeming, measurable benefit. There are several alternative methods available for verifying PIC changes. The Commission should ensure that its verification rules are clear and concise, and let each company decide which method best meets its needs.

## **V. Conclusion**

CBT fully supports the Commission's attempts to prevent and eliminate slamming. However, in addressing this problem, the Commission must be sensitive to the practical realities discussed herein.

Respectfully submitted,

Cincinnati Bell Telephone Company

By /s/ Christopher J. Wilson  
Christopher J. Wilson  
Staff Counsel  
Cincinnati Bell Telephone Company  
201 East 4th Street, Room 102-620  
Cincinnati, Ohio 45201  
(513) 397-6351

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